

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GLENN JOHNSON,

Plaintiff,

-against-

THE CITY OF NEW YORK, POLICE MARISOL
BONILLA (shield # 899), POLICE OFFICER ERIK
MALEK (shield # 26515), SERGEANT FRANCISCO
MONCAYO (shield # 2687),

**STIPULATION AND
ORDER OF
SETTLEMENT AND
DISCONTINUANCE**

07 CV 10698 (PKC)

Defendants.

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WHEREAS, plaintiff commenced this action by filing a complaint on or about November 30, 2007, alleging that defendants violated his federal civil and state common law rights; and

WHEREAS, defendant City has denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay plaintiff the total sum of FIFTEEN THOUSAND (\$15,000.00) in full satisfaction of all claims, including claims for

costs, expenses and attorney fees, as follows. In consideration for the payment of this sum, plaintiff agrees to the dismissal of all the claims against the City, and to release any present or former employees or agents of the City of New York and the New York City Police Department, and their successors or assigns, from any and all liability, and any and all claims which were or could have been alleged in the complaint in this action, including claims for costs, expenses and attorney fees.

3. Plaintiff shall execute and deliver to defendant's attorney all documents necessary to effect this settlement, including, without limitation, a release based on the terms of paragraph "2" above and an Affidavit of No Liens.

4. Nothing contained herein shall be deemed to be an admission by the defendant that it has in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation and settlement shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

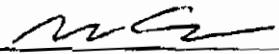
5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.

6. This Stipulation and Order contains all the terms and conditions agreed

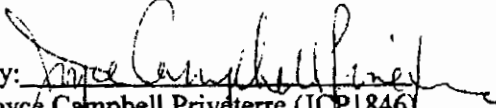
upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
May 30, 2008

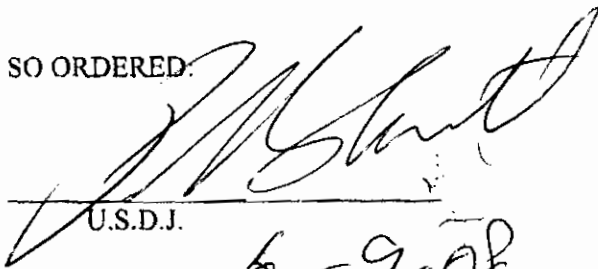
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By: 
Joyce Campbell Priveterre (JCP 1846)
Assistant Corporation Counsel

SO ORDERED:


U.S.D.J.
6-9-08